JS 44 (Rev. 07/16)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS
Joyce Mullen

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*
Michael Gaier, Esq.
1628 JFK Blvd., Suite 400
Phila., PA 19103

DEFENDANTS
Orchard Hill Kennels
1053 Faller Lane
Leesport, PA 19533

County of Residence of First Listed Defendant Berks
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question *(U.S. Government Not a Party)*
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*

(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☒ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☒ 4
Citizen of Another State	☒ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☒ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 840 Trademark

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District *(specify)*
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:
28 U.S.C. 1332

Brief description of cause:
Premises Liability Upon Defendant's Property

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A **CLASS ACTION** UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 4-19-17

SIGNATURE OF ATTORNEY OF RECORD [signature]

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I.(a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.)**

III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. **Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V. **Origin.** Place an "X" in one of the seven boxes.
Original Proceedings. (1) Cases which originate in the United States district courts.
Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statue.

VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service

VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. **Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 27 PARTRIDGE LANE, HADDONFIELD NJ 08003

Address of Defendant: 1053 FALLER LANE, LEESPORT PA 19533

Place of Accident, Incident or Transaction: 1053 FALLER LANE, LEESPORT, PA 19533

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)) Yes☐ No☑

Does this case involve multidistrict litigation possibilities? Yes☐ No☑

RELATED CASE, IF ANY:

Case Number: ______ Judge ______ Date Terminated: ______

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes☐ No☑
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? Yes☐ No☑
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court? Yes☐ No☑
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? Yes☐ No☑

CIVIL: (Place ✔ in ONE CATEGORY ONLY)

A. *Federal Question Cases:*

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases (Please specify) ______

B. *Diversity Jurisdiction Cases:*

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☑ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases (Please specify) PREMISES LIABILITY

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, MICHAEL GAIER, counsel of record do hereby certify:

☑ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of $150,000.00 exclusive of interest and costs;

☐ Relief other than monetary damages is sought.

DATE: 4-19-17 [signature] Attorney-at-Law 50210 Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 4-19-17 [signature] Attorney-at-Law 50210 Attorney I.D.#

CIV. 609 (5/2012)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CASE MANAGEMENT TRACK DESIGNATION FORM

JOYCE MULLEN : CIVIL ACTION

v. :

ORCHARD HILL KENNELS, et al. : NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

(a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ( )

(b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )

(c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ( )

(d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )

(e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )

(f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

4-18-17	MICHAEL GAIER	PLAINTIFF
Date	**Attorney-at-law**	**Attorney for**
215-751-0100	215-751-0723	mhgaier@shafferguer.com
Telephone	**FAX Number**	**E-Mail Address**

(Civ. 660) 10/02

Civil Justice Expense and Delay Reduction Plan
Section 1:03 - Assignment to a Management Track

(a) The clerk of court will assign cases to tracks (a) through (d) based on the initial pleading.

(b) In all cases not appropriate for assignment by the clerk of court to tracks (a) through (d), the plaintiff shall submit to the clerk of court and serve with the complaint on all defendants a case management track designation form specifying that the plaintiff believes the case requires Standard Management or Special Management. In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

(c) The court may, on its own initiative or upon the request of any party, change the track assignment of any case at any time.

(d) Nothing in this Plan is intended to abrogate or limit a judicial officer's authority in any case pending before that judicial officer, to direct pretrial and trial proceedings that are more stringent than those of the Plan and that are designed to accomplish cost and delay reduction.

(e) Nothing in this Plan is intended to supersede Local Civil Rules 40.1 and 72.1, or the procedure for random assignment of Habeas Corpus and Social Security cases referred to magistrate judges of the court.

SPECIAL MANAGEMENT CASE ASSIGNMENTS
(See §1.02 (e) Management Track Definitions of the Civil Justice Expense and Delay Reduction Plan)

Special Management cases will usually include that class of cases commonly referred to as "complex litigation" as that term has been used in the Manuals for Complex Litigation. The first manual was prepared in 1969 and the Manual for Complex Litigation Second, MCL 2d was prepared in 1985. This term is intended to include cases that present unusual problems and require extraordinary treatment. See §0.1 of the first manual. Cases may require special or intense management by the court due to one or more of the following factors: (1) large number of parties; (2) large number of claims or defenses; (3) complex factual issues; (4) large volume of evidence; (5) problems locating or preserving evidence; (6) extensive discovery; (7) exceptionally long time needed to prepare for disposition; (8) decision needed within an exceptionally short time; and (9) need to decide preliminary issues before final disposition. It may include two or more related cases. Complex litigation typically includes such cases as antitrust cases; cases involving a large number of parties or an unincorporated association of large membership; cases involving requests for injunctive relief affecting the operation of large business entities; patent cases; copyright and trademark cases; common disaster cases such as those arising from aircraft crashes or marine disasters; actions brought by individual stockholders; stockholder's derivative and stockholder's representative actions; class actions or potential class actions; and other civil (and criminal) cases involving unusual multiplicity or complexity of factual issues. See §0.22 of the first Manual for Complex Litigation and Manual for Complex Litigation Second, Chapter 33.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Joyce Mullen 27 Partridge LN Haddonfield NJ, 08003 *Plaintiff* **v.** Orchard Hill Kennels 1053 Faller Lane Leesport PA, 19533 & Erica Venier & Dr. Leon Venier 1053 Faller Lane Leesport PA. 19533 *Defendants*	**NO.** **JURY TRIAL DEMANDED**

Plaintiff, Joyce Mullen , by and through her undersigned counsel, hereby files this complaint against Defendants, Orchard Hill Kennels, Erica Venier & Dr. Leon Venier and hereby aver as follows:

THE PARTIES

1. Plaintiff, Joyce Mullen, is an adult individual residing at 27 Partridge Ln. Haddonfield NJ, 08003. Plaintiff is a citizen and resident of the Commonwealth of New Jersey.

2. Defendant, Erica Venier is a citizen and resident of the State of Pennsylvania with a principle address at 1053 Faller Lane Leesport PA, 19533.

3. Defendant, Leon Venier is a citizen and resident of the State of Pennsylvania with a principle address at 1053 Faller Lane Leesport PA, 19533.

4. Defendant, Orchard Hill Kennels., is a corporation with a principal place of business located at 1053 Faller Lane Leesport PA, 19533.

5. At all times relevant, Defendants, Leon and Erica Venier were acting as an agent/employee/servant of Orchard Hill Kennels and were in the course and scope of their employment.

JURISDICTION & VENUE

5. Jurisdiction is proper pursuant to 28 U.S.C. § 1332 because there is diversity of citizenship between the parties and the amount in controversy is above the jurisdictional limits.

6. Venue is proper because the events giving rise to the claim occurred in this venue and/or the Defendants maintain an office and regularly conduct business in this district.

FACTUAL BACKGROUND

7. At all times material hereto, Defendants Venier were responsible maintenance, care, repair and supervision of the Kennel and the grounds upon which it situated at 1053 Faller Lane Leesport PA, 19533.

8. At all times material hereto, Defendant owned, leased, possessed operated and/or controlled the premises and equipment that is the subject of Plaintiff's Complaint.

9. On or around April 24, 2016 Plaintiff was lawfully present as a customer to look at and purchase one of Defendant's dogs' puppies at the kennel and was thus a business invitee.

10. Then and there, Plaintiff was injured when she tripped and fell on a defective

condition of Defendants' slate walkway. More specifically, Plaintiff was caused to fall due to an area of the walkway that was loose, uneven, cracked and not properly maintained.

11. Defendants knew, or should have known, about the aforesaid unreasonably dangerous condition.

12. As a direct and proximate result of the aforesaid incident, Plaintiff suffered permanent and serious bodily injuries as set forth below.

13. As a result of the negligence and carelessness of the Defendant, Plaintiff sustained serious pain and injury including but not limited to a concussion, nerve injuries, orthopedic injuries, and other related cognitive injuries, namely dizziness, fatigue, headaches, memory loss, impaired vision, and mental anguish, the extent of which is not fully known, pain and suffering and other injuries some or all of which may be permanent in nature.

14. As a result of the Defendants' negligence and carelessness, Plaintiff has been and may in the future be required to spend considerable sums of money for medical treatment, any and all of which may continue to her great financial loss and detriment.

15. As a result of Defendant's negligence, Plaintiff has sustained a loss of earnings and/or loss of earning capacity.

16. Further, Plaintiff has suffered a loss and diminution of her ability to enjoy the pleasures of life to her great detriment and loss.

COUNT I
Joyce Mullen v Erica Venier, Leon Venier
(NEGLIGENCE)

17. Plaintiff incorporates by reference the foregoing paragraphs as though set forth in full herein.

18. At all times, relevant, the Defendants' had an obligation and duty to ensure that the aforesaid premise was reasonably safe, including the area of the Plaintiff's accident.

19. The aforesaid conduct of the Defendants' was negligent, careless and reckless in the following respects:

(a) Failing to maintain the premises in a safe and/or reasonable condition;

(b) Failing to service and/or test the premises;

(c) Failing to inspect the premises and/or failing to conduct a reasonable inspection;

(d) Failing to exercise proper care under the circumstances;

(e) Causing and/or allowing a dangerous and hazardous condition to exist;

(f) Allowing a nuisance to exist;

(g) Failing to provide warnings of a dangerous or hazardous condition;

(h) Violating the applicable ordinances and statutes pertaining to the ownership, leasing and maintenance of property; and

20. Defendants' knew or should have known of the dangerous and defective condition of the premises prior to the aforesaid incident.

21. The negligence, carelessness and recklessness of Defendants' caused the premises to

be unreasonably dangerous.

22. As a result of the negligence of the Defendants'as aforesaid, Plaintiff suffered the injuries and damages set forth above.

WHEREFORE, Plaintiff demands judgment against the Defendants' in an amount in excess of the jurisdictional limits for Arbitration plus interest, costs, attorneys' fees and any other relief the Court deems appropriate under the circumstances.

COUNT II
Joyce Mullen v. Orchard Hill Kennels
(NEGLIGENCE)

23. Plaintiff incorporates by reference the foregoing paragraphs as though set forth in full herein.

24. At all times, relevant, the Defendant had an obligation and duty to ensure that the aforesaid premise was reasonably safe, including the area of the Plaintiff's accident.

25. The aforesaid conduct of the Defendant was negligent, careless and reckless in the following respects:

(a) Failing to maintain the premises in a safe and/or reasonable condition;

(b) Failing to service and/or test the premises;

(c) Failing to inspect the premises and/or failing to conduct a reasonable inspection;

(d) Failing to exercise proper care under the circumstances;

(e) Causing and/or allowing a dangerous and hazardous condition to exist;

(f) Allowing a nuisance to exist;

(g) Failing to provide warnings of a dangerous or hazardous condition;

(h) Violating the applicable ordinances and statutes pertaining to the ownership, leasing and maintenance of property; and

26. Defendant knew or should have known of the dangerous and defective condition of the premises prior to the aforesaid incident.

27. The negligence, carelessness and recklessness of Defendant caused the premises to be unreasonably dangerous.

28. As a result of the negligence of the Defendant as aforesaid, Plaintiff suffered the injuries and damages set forth above.

WHEREFORE, Plaintiff demands judgment against the Defendant in an amount in excess of the jurisdictional limits for Arbitration plus interest, costs, attorneys' fees and any other relief the Court deems appropriate under the circumstances.

SHAFFER & GAIER, LLC

Date: 4/18/17

MICHAEL H. GAIER, ESQUIRE

JURY DEMAND

The Plaintiff hereby demands a trial by jury as to all issues.

DESIGNATION OF TRIAL COUNSEL

PLEASE TAKE NOTICE that Michael H. Gaier, Esquire is hereby designated as trial counsel for this matter.

SHAFFER & GAIER, LLC

Date: 4/18/17

MICHAEL H. GAIER, ESQUIRE
Attorney for Plaintiff

VERIFICATION

I hereby certify that the statements contained in the forgoing Civil Action Complaint are true and correct to the best of my knowledge, information and belief and these statement are made subject to the penalties of 18 Pa.C.S.A. Section 4904 relating to unsworn falsification to authorities.

Joyce S. Mueller

DATE: 4/18/17

SHAFFER & GAIER, LLC
ATTORNEYS AT LAW
8 PENN CENTER, SUITE 400
1628 JOHN F KENNEDY BOULEVARD
PHILADELPHIA, PA 19103-2137

EXPLANATION	AMOUNT	

7782

3-5/310
707

CHECK ARMOR

Security Features Details on Back.

UNT Four Hundred xx/00 DOLLARS

TE	TO THE ORDER OF	GROSS	DESCRIPTION	CHECK NUMBER
17	Clerk US D.C.	400.00	Mullen Complaint	7782

$ 400.00

PNC Bank, N.A. 020

AUTHORIZED SIGNATURE

⑈007782⑈ ⑆031000053⑆ 8607738438⑈